

Application No.: 10/579,695
Filing Date: May 21, 2007

REMARKS

Claims 4-8 have been indicated as allowable if written in independent form to include all of the limitations of their base claims and any intervening claims. Claims 1-3 and 6-10 stand rejected. By this paper, Claims 1, 3, 5, 6, and 8-10 have been amended, new Claims 11-15 have been added, and Claim 4 has been canceled without prejudice or disclaimer. The Specification has also been amended to complete the final paragraph. The amendments add no new matter. Thus, Claims 1-3 and 6-15 are presented for further consideration in view of the following remarks.

Comments Regarding the Specification

In a phone conversation with Applicant's representative Cynthia Arko on February 12, 2011, Examiner Timothy Maust indicated that the final paragraph on page 6 of the English translation of the Specification was incomplete. Applicant has submitted herewith a re-paginated version of the English translation of the Specification, with the Claims and Abstract on separate pages. The Examiner is respectfully requested to contact the undersigned should the Examiner require anything further in this regard.

Discussion of Objection to the Drawings

In the Office Action, the Examiner indicated that drawings are required under 37 CFR 1.81(c). Applicant notes, however, that this application is a national phase of a PCT application under 35 U.S.C. § 371. The PCT application (App. No. PCT/EP2004/013174) included four figures on two drawing sheets. Accordingly, Applicant respectfully requests that the Examiner withdraw the objections to the drawings.

Rejection of Claims 9 and 10 under 35 U.S.C. § 112

In the Office Action, Claims 9 and 10 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. In particular, the Examiner objected to Claim 9 as lacking antecedent basis for the terms "the front surface" and "the slide ring" and has also

Application No.: 10/579,695
Filing Date: May 21, 2007

objected to Claim 10 as lacking antecedent basis for the terms “the connection process” and “the connecting link.”

By this paper, Claim 9 has been amended to depend from Claim 3 instead of Claim 1, and Claim 3 has been amended to recite “wherein a front surface of the at least one pivoting lever pressurizes a slide ring of a rotary transmission leadthrough.” Claim 10 has been amended to recite “wherein a connection process of the rapid coupling is controlled at least partly by the lever mechanism” and to delete the phrase “especially the lever guided in the connecting link or a switching valve cooperating with the hand lever, especially the sequential control of the valves within the housing.” With these amendments, Applicant respectfully submits that the rejections under 35 U.S.C. § 112, second paragraph, have been overcome.

In addition to the above-noted amendments, Applicant has also amended each of Claims 3, 5, 6, 8, and 9 to recite “the at least one pivoting lever” in order to further clarify these claims.

Rejection of Claims 1-3, 9, and 10 under 35 U.S.C. § 102(b)

In the Office Action, Claims 1 and 2 were rejected under 35 U.S.C. § 102(b) as being anticipated by Goode (USP 5,301,723). Claims 1-3, 9 and 10 were rejected under 35 U.S.C. § 102(b) as being anticipated by Weh et al. (USP 5,575,510). Although Applicant does not agree with the substance of these rejections, solely in order to expedite prosecution of the present application, Applicant has amended the claims to recite only the subject matter indicated by the Examiner as allowable, as described below. Accordingly, Applicant respectfully submits that this rejection should be withdrawn.

Allowable Subject Matter

Applicant gratefully acknowledges the Examiner’s indication that Claims 4-8 would be allowable if written in independent form to include all of the limitations of their base claims and any intervening claims. By this paper, Applicant has amended Claim 1 to include the limitations of Claim 4 and has presented new Claims 11 and 12 incorporating the limitations of Claim 1 (before the present amendment) and Claims 7 and 8, respectively. Thus, Applicant respectfully submits that independent Claims 1, 11, and 12 are in condition for allowance and requests the same.

Application No.: 10/579,695
Filing Date: May 21, 2007

Claims 2-3 and 6-10 depend, directly or indirectly, from independent Claim 1 and each recites a unique combination of features not taught or suggested by the cited art. Applicant submits that these claims are patentable for at least the same reasons that Claim 1 is patentable over the applied art. Therefore, allowance of Claims 1-3 and 6-10 is respectfully requested.

New Claims 13-15

Applicant has also added new Claims 13-15 for the Examiner's consideration. New Claim 13 depends from Claim 1 and further recites "wherein a pin is provided as a joint, on which a second lever of the lever mechanism is also mounted." Support for new Claim 13 can be found in at least Claim 8 as originally filed.

New Claim 14 depends from Claim 6 and further recites "wherein a connection process of the rapid coupling is controlled at least partly by the lever guided in the connecting link or a switching valve cooperating with the hand lever." Support for new Claim 14 can be found in at least Claim 10 as originally filed.

New Claim 15 depends from Claim 1 and further recites "wherein a pin is provided as a joint, on which a second lever of the lever mechanism is also mounted." Support for new Claim 15 can be found in at least Claim 8 as originally filed.

Applicant submits that new Claims 13-15 are patentable for at least the same reasons that the claims from which they depend are patentable over the applied art. Consideration and allowance of new Claims 13-15 is therefore respectfully requested.

No Disclaimers or Disavowals

Although the present communication may include alterations to the application or claims, or characterizations of claim scope or referenced art, Applicant is not conceding in this application that previously pending claims are not patentable over the cited references. Rather, any alterations or characterizations are being made to facilitate expeditious prosecution of this application. Applicant reserves the right to pursue at a later date any previously pending or other broader or narrower claims that capture any subject matter supported by the present disclosure, including subject matter found to be specifically disclaimed herein or by any prior prosecution. Accordingly, reviewers of this or any parent, child or related prosecution history shall not

Application No.: 10/579,695
Filing Date: May 21, 2007

reasonably infer that Applicant has made any disclaimers or disavowals of any subject matter supported by the present application.

CONCLUSION

The undersigned has made a good faith effort to respond to all of the noted rejections and to place the claims in condition for immediate allowance. Nevertheless, if any undeveloped issues remain or if an issue requires clarification, the Examiner is respectfully requested to call Applicant's attorney in order to resolve any such issue promptly.

Applicant respectfully traverses each of the Examiner's rejections and each of the Examiner's assertions regarding what the prior art discloses or teaches, even if not expressly discussed herein. Although changes to the claims have been made, no acquiescence or estoppel is or should be implied thereby; such amendments are made only to expedite prosecution of the present application and are without prejudice to the presentation or assertion, in the future, of claims relating to the same or similar subject matter.

Any remarks in support of patentability of one claim should not be imputed to any other claim in this or a related application, even if similar terminology is used. Any remarks referring to only a portion of a claim should not be understood to base patentability on solely that portion; rather, patentability must rest on each claim taken as a whole. Applicant have not presented all arguments concerning whether the applied references can be properly combined in view of the clearly missing elements noted above, and Applicant reserve the right to later contest whether a proper reason exists to combine these references.

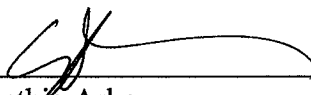
Application No.: 10/579,695
Filing Date: May 21, 2007

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 02-28-2011

By: 
Cynthia Arko
Registration No. 61,420
Attorney of Record
Customer No. 20995
(858) 836-9000

9805636
100710